

SPEX 2009-0020, SPEX 2009-0033, SPMI 2009-0009
LOUDOUN WATER – WATER STORAGE
CONDITIONS OF APPROVAL
(March 30, 2010)

1. **Substantial Conformance.** The proposed Special Exception uses and Minor Special Exception modification set forth below in Condition 2 shall be developed in substantial conformance with Sheet 1, Sheet 4, Sheet 5, and Sheet 6 (together comprising and herein referred to as the “Special Exception Plat”) of the plan set entitled Special Exception / Commission Permit, SPEX 2009-0020, CMPT 2009-0006, SPEX 2009-0033, SPMI 2009-0009, Loudoun Water: Quarry A Water Storage Facility, prepared by Urban, Ltd., dated April 2009, revised through March 30, 2010 (the “Plans”) and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). Approval of this application for Tax Map /61/////////29/ (PIN# 114-25-6156) (the “Property”), shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted.** Approval of the Special Exceptions and Minor Special Exception grants 1) approval of the quarry area for water storage under the general use “Water storage tank” (SPEX 2009-0020) as set forth in the Zoning Ordinance, in the MR-HI (Mineral Resource – Heavy Industry) Zoning District. This Special Exception specifically approves the storage of non-potable water in Quarry A once the stone quarrying use approved by SPEX 1971-0005, Leesburg Stone Corporation, has ceased on the subject Property; 2) approval under the general use “structures or uses required for the operation of a public utility” in the Floodplain Overlay District (SPEX 2009-0033); and 3) modification of the Type Four (4) Buffer Yard required by Section 5-621(B) as set forth in Condition 6 Buffer Area below (SPMI 2009-0009). The uses approved in SPEX 2009-0020 and SPEX 2009-0033 are approved only for that area of the Property shown on Sheet 4, Sheet 5, and Sheet 6 as lying within the bold, single-dash lines and labeled as “Limits of SPEX” (1,512,121.93 S.F. or 34.71 ac.) (the “Special Exception Area”).
3. **Period of Validity.** The Special Exceptions and Minor Special Exception shall be valid for a period of fifteen (15) years from the date on which the Special Exceptions and Minor Special Exception are approved.
4. **Floodplain Study.** The Applicant shall complete a floodplain study for the Property in accordance with the Zoning Ordinance and Facilities Standards Manual (FSM). The Floodplain Study shall be approved by the County prior to first site plan approval for any use approved pursuant to SPEX 2009-0020 or SPEX 2009-0033.

5. **Fencing.** Prior to first zoning permit approval for any use approved pursuant to SPEX 2009-0020 or SPEX 2009-0033, the Applicant shall install a black vinyl or similarly coated chain link fence at least ten feet (10') in height along the perimeter of the Special Exception Area as shown on Special Exception Plat Sheets 4-6. The said fence will not be required to meet a minimum opacity of 95% required for Type 4 Buffer Yards per Table 5-1414(B) as applied to the subject Property per 5-621(B).
6. **Buffer Area.** Prior to first site plan approval for any use approved pursuant to SPEX 2009-0020 or SPEX 2009-0033, the Applicant shall supplement existing vegetation to achieve seven (7) acres of tree canopy cover within the hatched area shown on Special Exception Plat Sheet 4 ("Quarry Buffer Exhibit"). The size, amount, and species of the supplemental plantings shall be determined in consultation with the County Urban Forester. The Applicant shall utilize native species for new plant material, as determined in consultation with the County Urban Forester, to the maximum extent possible. All required supplemental plantings shall be depicted on and bonded with the said first site plan.
7. **Lighting.** Site lighting shall conform to Section 5-1500 of the Zoning Ordinance and Sections 7.110 and 7.120 of the FSM and the following:
 - a. **Light Fixtures.** Lighting fixtures associated with the use approved pursuant to SPEX 2009-0020 shall be full cutoff and fully shielded and shall direct light downwards and into the interior of the water storage area and away from surrounding public roads and properties. Said lighting shall meet the requirements of the FSM, unless otherwise required by law, ordinance, or regulation.
 - b. **Height of Light Fixtures.** The mounting height of any light fixture shall not exceed 20 feet. Height shall be measured from the ground to the bottom of the light fixture.
8. **Vehicular Access.** Vehicular Access to the Special Exception Area shall be limited to the Access road ("Ex. Jackpit Lane") shown on the Special Exception Plat. In the event the Property Owner or Virginia Department of Transportation (VDOT) seek to relocate or close Jackpit Lane to facilitate improvements to Belmont Ridge Road (Route 659), the Applicant shall be permitted to relocate the Access road between Route 659 and the Special Exception Area, upon written approval of the Zoning Administrator and approval by VDOT, if required. Should the Access road be relocated by the Applicant or successors subsequent to site plan approval for any use approved pursuant to SPEX 2009-0020 or SPEX 2009-0033, a new site plan shall be submitted for approval. Use of the existing tunnel underneath the W&OD Trail shall be limited to construction activities and installation/maintenance of utilities associated with any use approved pursuant to SPEX 2009-0020 or SPEX 2009-0033. In no event shall the Applicant or successors access the Special Exception Area by means of any existing driveway crossings of the W&OD Trail located to the south of the Property.

9. **Previous Special Exception Conditions.** Upon commencement of the water storage use pursuant to SPEX 2009-0020, the conditions of approval of SPEX 1971-0005, Leesburg Stone Corporation, as they apply to the subject Property, shall become null and void.